IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 36964 of 2007(A)

PETITIONER:

TIM. T. THOMAS, THARAMANGALATHIL
KIZHAKKUMBHAGOM KARANAVAN
ETTUMANOOR VILLAGE, KOTTAYAM TALUK

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS:

---

1. JOSE T. KALLIATH, KALLIATH HOUSE,
NETTISSERY (P.O.),
THRISSUR DISTRICT

2. SONY JOSEPH, MANAGING PARTNER,
AISHWARYA JEWELLERY,
ETTUMANOOR (P.O.)

3. MARY, PARTNER, AISHWARYA JEWELLERY,
ETTUMANOOR 9P.O.)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J.

W.P.(C). NO. 36964 OF 2007

Dated this the 13th day of December, 2007

J U D G M E N T

This writ petition is filed for a direction to the Subordinate Judge, Kottayam to dispose of I.A 2692/07 in O.S. 169/03. The said application is one for lifting the attachment ordered by the court below on the ground that the property is not attachable for the reason that the claimant has purchased the property for valuable consideration and on bonafide belief. Since it deals with the right of an immovable property and on which attachment order is in existence, I direct the court below to consider and pass appropriate orders on I.A. 2692/07 in O.S. 169/03, after hearing all parties concerned within a period of six weeks from today.

The writ petition is disposed of accordingly.

M.N.KRISHNAN, JUDGE

vps